

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

| | | |
|-----------------------|---|--------------------------|
| LISA BROWN, M.D., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No. 05-32 E |
| |) | |
| HAMOT MEDICAL CENTER, |) | |
| |) | |
| Defendant. |) | |

MOTION TO FILE EXHIBITS UNDER SEAL

1. This is an action for employment discrimination under Title VII, and for breach of contract. Plaintiff ("Brown") was in the third year of a five year residency in orthopedic surgery when defendant ("Hamot") decided not to renew her contract.

2. On March 2, 2006, plaintiff served subpoenas upon various members of the faculty of Hamot ("the Faculty") requesting certain documents relative to the prosecution of the plaintiff's claims.

3. On March 31, 2006, the Faculty filed a Motion to Quash or Modify the Subpoenas objecting to two of the sixteen document requests.

4. On April 14, 2006, plaintiff filed a Brief in Opposition to the Faculty's Motion to Quash or Modify Subpoenas. Attached to the Brief were certain documents which plaintiff asserts are essential to this Court's determination of the Faculty's Motion.

5. By correspondence dated April 14, 2006, Hamot requested that the plaintiff withdraw the Opposition to the Motion to Quash as the attached exhibits include several documents marked "Confidential". Hamot argues that the documents are

subject to a Confidentiality Order entered into by the parties and contain information which will cause embarrassment to individuals who are not parties to the action.

6. Plaintiff has no objection to the sealing of the exhibits.

7. By Order of the Honorable Chief Judge Donetta Ambrose dated January 27, 2005, parties seeking to file documents under seal must seek prior leave of Court before any documents can be sealed.

8. The parties respectfully request that this Court enter an Order sealing the Exhibits to the Plaintiff's Brief in Opposition to the Motion to Quash or Modify Subpoenas. (document no. 37).

WHEREFORE, the plaintiff respectfully request that this Court enter an Order sealing the exhibits to document number 37; Plaintiff's Brief in Opposition to the Motion to Quash.

Respectfully submitted,

Leech Tishman Fuscaldo & Lampl

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